IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2887 OF 2007

Shri Zumberdas Dhondram Jadkar] .. Petitioner

Versus

1. State of Maharashtra & 5 ors.] .. Respondents

Mr. A.M. Joshi for the petitioner.

Mr. R.M. Patne, AGP, for the respondents No.1 to 4.

Mr. Shreekant V. Gavand for the respondents No.5 & 6.

CORAM: S.B. MHASE, &
R.S. MOHITE, JJ.

DATED: 11TH JUNE, 2007

P.C. :

. The petitioner claims to be working with Adarsha Madhyamik Vidyalaya Mandir as an assistant teacher. It is a school run by the Management of Mandal Vibhag Shikshan Prasarak Mandal. The petitioner belongs to Nomadic Tribe (NT) category and thereby, he claims certain benefits in the seniority. It appears that the Management of Adarsha Madhayamik Vidyalaya Mandir viz. Mandal Vibhag Shikshan Prasarak Mandal is not interested in running the said school because of their difficulties and, therefore, they have transferred the school to Kokan Education Society and, accordingly, the transfer

orders have been passed by the Education Department in 1999. The services of the petitioner were also transferred to Kokan Education Society.

2. Now it appears that the department is proposing to transfer the said school again to the old Management. No transfer order has been shown to us. However, the petitioner apprehends that if he is re-transferred, his promotional chances would be prejudiced. The petitioner desires to continue his services with Kokan Education Society and, therefore, has approached this Court. Since no transfer order has been annexed and brought on record and the Petition is based on speculation, we refrain to entertain the Petition. The Petition is, accordingly, rejected.

Sd/-
[R.S. MOHITE, J.]

Sd/-
[S.B. MHASE, J.]